REMARKS

In response to the Official Action of January 25, 2008, claims 1, 15, and 26 have been slightly amended for grammatical reasons. Claim 14 has been amended to overcome the statutory art rejection. No new matter is added.

In addition, claims 30-32 are newly submitted. Each of these newly submitted claims depends from a different independent claim and each new claim is directed to a feature of the present invention; namely, wherein the recited course of motion is performed on the user interface by dragging a dragging element that is displayed on said user interface and wherein that dragging element is a soft button that is provided on the user interface for other purposes and is assigned additional functionality to initiate said change of said orientation of the user interface only when being dragged across said user interface. Support for these new claims is found in the application as originally filed, including in the specification at page 6, lines 1-18 and, particularly, lines 14-18. No new matter is added.

Claim Rejections - 35 USC §101

At section 2, claim 14 is rejected under 35 USC §101 on the basis that it is directed to non-statutory subject matter; specifically, that it is directed to a program itself and not a process occurring as a result of executing the program, a machine programmed to operate in accordance with the program nor a manufacture structurally and functionally interconnected with the program in a manner which enables the program to act as a computer component and realize its functionality.

Claim 14 has been amended to claim a computer readable medium storing a computer program with instructions operable to cause a processor to perform the method of claim 1. As such, claim 14 is believed to be clearly statutory since it recites a computer readable medium storing a computer program with instructions and therefore functions are performed when the processor is operated in accordance with those instructions so as to perform the method of claim 1.

The rejection of claim 14 is therefore overcome.

Claim Rejections - 35 USC §103

At section 4, claims 1-12 and 14-29 are rejected under 35 USC §103(a) as unpatentable over US patent application publication 2003/0184525, Tsai. The Office specifically relies upon the Abstract and Figures 2A and 2C of Tsai for alleging that Tsai discloses a method for changing an orientation of a user interface comprising: detecting a course of motion that is performed on said user interface, and changing said orientation of said user interface with respect to a physical device said user interface is integrated in according to said detected course of motion, wherein said user interface is a touch screen display, and wherein said orientation of said touch screen display is changed by rotating the complete display and input control logic.

The Office states that Tsai does not explicitly disclose displaying an input control logic (dragging element as set forth in the present application) on said user interface, but asserts that Tsai teaches rotating an image on the display by touching the panel and dragging across quadrants to rotate (citing paragraphs [0019]-[0021] of Tsai). The Office further asserts that because Tsai teaches an image being on the display as shown in Figures 2A-2C for example, that it would obvious to one of ordinary skill in the art at the time of the invention to drag the hat of the snowman image of Tsai and use it as a dragging element or input control logic in order to display an input control logic (an element to drag) to rotate the snowman image on the display. Applicant respectfully disagrees.

More particularly, it is agreed by applicant that Tsai does not disclose a dragging element in the embodiment shown in Figures 2A-2C; that is, there is no display of an input control logic at all in these figures. Furthermore, Tsai, in fact, teaches away from the use of an input control logic in view of the prior art that is discussed in Tsai with respect to Figures 1A-1C. Thus, with regard to the prior art shown in Figures 1A-1C, as discussed in paragraphs [0006]-[0010] of Tsai, a button 14 is shown in this prior art display where upon selection of the button a menu 15 with three different selectable rotation angles is shown on the display (see Figure 1B). Button 14 and menu 15 can be considered as an input control logic. However, use of this type of input control logic is considered inconvenient by Tsai (see paragraph [0010]) so that as an improvement, the method of Figures 2A-2C is proposed, where rotation of the orientation of the

screen is triggered by moving a user's fingertip across the quadrants of the display as shown in Figures 2A and 2B.

Therefore, for a person of ordinary skill in the art, since Tsai sets out from a conventional approach for rotating an image which displays an input control logic (button 14 and menu 15), but which is considered to be disadvantageous in Tsai, there is absolutely no suggestion or motivation to re-introduce displaying an input control logic (buttons or specific dragging elements) into the embodiments of Figures 2A-2C. This is particularly seen in paragraph [0011] of Tsai where it states "The object of the present invention is to provide a method and apparatus for image processing wherein the users complete the image rotation by simply dragging on the panel." The concept of having a user perform image rotation by simply dragging on the panel is thereby distinguished over the prior art method shown in Figures 1A-1C wherein a menu 15 pops up upon the user touching button 14 on panel 11 where menu 15 then provides buttons 151-153 for performing rotation of the image displayed.

The Office's argument that it would be obvious to one having ordinary skill in the art at the time of the invention to drag the hat of the snowman image of Tsai and use it as a dragging element or input control logic is also contrary to what such a person would understand for purposes of implementation of an input control logic as defined in the present application.

More particularly, a person of ordinary skill in the art realizes that components of an image (such as the referenced hat of the snowman shown in Figures 2A-2C of Tsai) are generally not suitable to serve as an input control logic, because for each different image displayed on a device (such as a snowman, a landscape, ball, a picture of a person) there would be a different portion of the image to be identified as serving as an input control logic. Such a portion of the image would have to be defined by the device as representing an input control logic; its size on the display would need to be determined so as to be able to discern if the user was actually touching that component, and then the motion of the user would have to be associated with the movement of that component on the display for purposes of re-orienting the display. It is not clear what rules would be applied to identify such a component of a display and, more importantly, how the user of the device would know that that particular component of the image serves as an input control logic for rotation of the image.

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Clearly, there is absolutely no suggestion in Tsai of this concept, particularly when Tsai is directed to a method of re-orienting an image on a display which <u>eliminates</u> the need for a control logic to be shown on the display, such as discussed in the prior art shown in Figures 1A-1C.

In conclusion, a person of ordinary skill in the art, would, based on the disclosure of Tsai, not consider that the input control logic shown in the prior art discussed in Tsai to be used in the embodiments of Figures 2A-2C and would further not consider it beneficial to choose image components (such as the discussed hat) of the displayed image as an input control logic. Tsai is therefore not suited to render the subject matter of the independent claims of the present application obvious where these independent claims require that an input control logic (like a dragging element) is displayed, and that in response to a course of motion performed on the user interface, the complete display <u>and</u> input control logic are rotated.

For all of the foregoing reasons, it is therefore respectfully submitted that independent method claim 1 and independent device claims 15 and 25 are distinguished over Tsai.

Since each of the independent claims of the present application is distinguished over Tsai, it is respectfully submitted that each of the dependent claims thereto are also further distinguished over Tsai.

Furthermore, newly submitted claims 30-32 are also further distinguished over Tsai since each of these claims depends from one of the above-mentioned independent claims of the present application. Furthermore, each of the newly submitted claims 30-32 specify that the course of motion is performed on said user interface by dragging a dragging element that is displayed on said user interface, and that said dragging element is a soft button that is provided on said user interface for other purposes and assigned additional functionality to initiate said change of said orientation of said user interface only when being dragged across said user interface. This is specifically explained in the present application as filed at page 6, lines 1-18 and specifically lines 14-18, wherein it states that an element such as a box as shown in Figures 2a and 2b of the present application may be a soft button that is already provided on the user interface for other purposes and is assigned additional functionality; that is, to initiate the change of orientation of said user interface, only when being dragged across the user interface.

Consequently, newly submitted claims 30-32 are believed to be further distinguished over the cited art.

In view of the foregoing, it is respectfully submitted that the present application as amended is in condition for allowance and such action is earnestly solicited.

Applicant's attorney would be pleased to speak with Examiner Lee if there are any remaining questions concerning the present application.

The Commissioner is hereby authorized to charge to deposit account 23-0442 any fee deficiency required to submit this paper.

Respectfully submitted,

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